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The Honorable Michael K. Powell.  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Room 8-B201  
Washington, D.C. 20554

Confirmed  
MAR 18 2003  
Distribution Center

Chairman & Staff,

This is a complaint/recommendation regarding the Dec 19, 2002 Cable MSO- CE/CEA agreement on "Plug & Play". **This joint recommendation is an agreement between two large industries at the expense of consumers!** In particular the provisions for "PODless" down-stream-only, basic digital service are far too weak or practically non-existent.

Currently, most Americans only have the "basic analog" service. This service is the national norm. This service **does not** require a Set-Top-Box and **does not** require a POD, a POD reader and an OOB tuner—it only requires an "analog cable ready" TV which are commonly available. This same concept should be the standard for "basic digital" service as well. Three simple rules should apply to basic digital service the same as basic analog service.

**1) The robustness of the program content for basic digital service should be equal to or better than the basic analog service it replaces.**

The agreement above only requires that local re-broadcast channels be unscrambled and there is no "must-carry rule" to insure these programs will be carried? Furthermore, there is a tendency for MSOs to offer programs that are included, unscrambled in the basic analog service in digital pseudo-"premium" packages that are scrambled instead of including them in the basic, unscrambled digital service.

**2) No POD, POD reader or OOB tuner should be required to receive the basic digital service—only a PODless digital ready TV.** Hitachi, Mitsubishi and Sony have these already! The other manufacturers will follow before the year is out. Unfortunately these new digital ready TVs have little or no program content to receive because most basic digital programs are scrambled and there is no program guide to find the few unscrambled programs. This must be corrected. All basic digital programs should be unscrambled just like all basic analog programs are unscrambled now. Only true premium service, PPV, VOD, and IPPV etc... should be allowed to be scrambled and require the POD system.

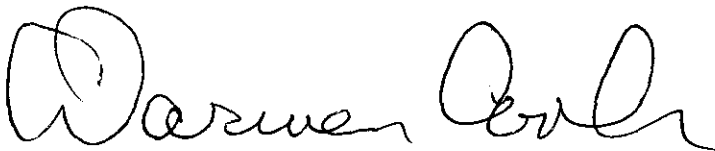
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- 3) **MSOs must be required to provide an unscrambled method to easily and quickly locate and relocate the unscrambled basic digital programs.** Some possibilities are: a) Unscramble part, or all of the OOB guide, Supply in-stream PSIP and tables to identify unscrambled programs, Or group all unscrambled basic programs on the same consecutive transport channels so they can be easily found by searching and continuously updated. I am sure there are many other solutions.

Buy a Mitsubishi WS 65 711(\$\$\$) and "plug and play" it on your local cable. See what you get for unscrambled cable digital programs? See how long it takes to auto-program channels (20 minutes!)? See what happens when the MSO moves your favorite digital program to a new channel transport (re-program for another 20minutes)? Channel-up the remote through 50-100 sub channels on various channel transports that say "this scrambled channel can't be displayed" while looking for an unscrambled basic digital channel. Call your local MSO for help—they will threaten to cut-off your service because you are not using their Set Top Box! I think you will get a sample of what main stream America will soon experience.

The current proposal is ok for PODs on true premium programs but not for basic digital service. Also the work going on to define "reverse channel" is ok. The proposal for PODless operation is insufficient and should go back to the drawing board. More attention must be paid now to a low cost, easy to use Basic Digital Service to replace the Basic Analog Service. If not the transition from analog cable to digital cable will be set back 10 years! Why would anyone want to stop their basic analog service and go digital under these circumstances?



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